

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PATRICK A. MISSUD,

Plaintiff,

No. C 13-80263 WHA

v.

NATIONAL RIFLE ASSOCIATION, *et al.*,

Defendants.

**ORDER DISMISSING ACTION,
EXPANDING PRE-FILING
REVIEW, AND IMPOSING
MONETARY SANCTIONS**

Plaintiff Patrick Missud was declared a vexatious litigant in 2012 and is currently subject to pre-filing review of any complaints filed against judicial entities. *Missud v. San Francisco Superior Court*, No. 12-3117-WHA, 2012 U.S. Dist. LEXIS 137351, at *9-10 (N.D. Cal. Sept. 24, 2012). In July 2013, he was placed on involuntary inactive status with the State Bar of California. The State Bar decision states that Missud “has total disdain for the legal profession and the judicial process.” *In the Matter of Patrick Alexandre Missud*, No. 12-O-10026-LMA (Cal. St. B. July 1, 2013). Attorney Missud was charged with seven counts of professional misconduct, including failing to obey court orders. The State Bar found, by clear and convincing evidence (after a five day hearing), that Missud was culpable of the alleged misconduct. Attorney Missud was then recommended to be “disbarred from the practice of law – the only solution for public protection.” In October 2013, Missud’s membership in the bar of this Court was suspended pursuant to this district’s reciprocal discipline procedures. *In The Matter of Patrick Alexandre Missud - # 219614*, No. 13-80182-WHA, Dkt. No. 3 (N.D. Cal. Oct. 2, 2013).

Attorney Missud has filed no less than twelve actions in this district. He has a history of placing bizarre comments on the docket. For example:

Letter from Patrick Missud, dated 05/18/13 (Attachments: # 1 Exhibit POS of Documents which SCOTUS will ignore to Dismiss Citizens-United Fortune-500 D.R. Horton Inc. from Writ 12-9412 which Proves to Criminal Standards that Nevada's Supreme Court is Corporate-Bought. # 2 Exhibit The 9th Circuit Just Today Ignored all Evidence of Lower Court Citizens-United, Fortune-500 D.R. Horton's purchase of 18 USC 201 Corrupt Judges from Nevada to California; and County to Circuit Court's, # 3 Exhibit I have Dozens of Transcripts catching Dopey-Corrupt Judges in Lies. This is the First- and they each get Progressively Worse!! By this Thursday, the United States Supreme Court will out itself as a Corporate Tool to Destroy the Constitution, Bill of Rights, Democracy, and 314 Million Real Non-Corporate People)(Missud, Patrick) (Filed on 5/21/2013) Modified on 5/22/2013 (jlm, COURT STAFF). (Entered: 05/21/2013)

Missud, et al. v. D.R. Horton Inc., et al., No. 4:07-cv-02625-SBA, Dkt. No. 78 (N.D. Cal. May 21, 2013). This too was filed:

First MOTION for Reconsideration re 70 Clerk's Judgment, 69 Order on Motion to Dismiss, Order on Motion to Strike MAKING SURE THAT JUDGE \$PERO \$PENDS\$ AT LEAST A DECADE IN THE PEN filed by Patrick Alexandre Missud. (Attachments: # 1 Exhibit The court registered a ".pl" file instead of ".pdf" to conceal its own order. This isn't the first time the court has so brazenly tried to conceal evidence and order\$ from the public. I've had to time and again go to the court to get copies of what they want Suppressed., # 2 Exhibit Here's the corrupted ".pl" file which has all sort\$ of weird formatting problems. That's the likely reason it can't be downloaded as a ".pdf." The judicial fraud throughout the 9th District and Circuit Court is epic. Just see civil case\$ C:11-1856, 11-3567, 12-161, 12-3117, 12-5468,..... related appeal\$,....and related U.S. Supreme Court Writ\$ 12-7817, 8191, 9412, 9413, 9981, 10006,)(Missud, Patrick) (Filed on 6/28/2013) (Entered: 06/28/2013)

Missud v. Oakland Coliseum Joint Venture, et al., No. 3:12-cv-02967-JCS, Dkt. No. 72 (N.D. Cal. June 28, 2013).

In *Missud v. San Francisco Superior Court*, No. 3:12-cv-03117-WHA, Dkt. No. 123 (N.D. Cal. April 1, 2013), this docket entry, along with nearly one-hundred similar entries, was filed after the action was officially closed in September 2012:

Request for Judicial Notice THAT I WILL RAILROAD THE BAR RATHER THAN IT RAILROAD ME filed by Patrick A. Missud. (Attachments: # 1 Exhibit The Trial that the \$Bar\$ will rig to Disbar Missud, # 2 Exhibit The Bar's Trumped-Up Charge\$ to Railroad the Trial, # 3 Exhibit Federal Judge Chen's Complaint to the Bar and Instruction\$ to Railroad the Hearing, # 4 Exhibit All sort\$ of Court\$, Judge\$, and Corporation\$ Wanting Missud to be Disbarred, # 5 Exhibit Bar Court

Judge Armendariz is Trying Really Hard to Railroad the Trial)(Missud, Patrick) (Filed on 4/1/2013) (Entered: 04/01/2013)

The July 22 order found that Missud had abused his ECF access privileges and those privileges were revoked (Dkt. No. 175).

More recently, Missud subpoenaed San Francisco Police Chief Greg Suhr, Judge Joann Remke, and the undersigned judge to appear before the Supreme Court (Dkt. No. 179). Those subpoenas were quashed due to the bizzare and incoherent nature of the requests.

The instant miscellaneous action arises from a putative class action complaint filed by Attorney Missud. The complaint can only be described as incoherent. It, moreover, is essentially the same complaint previously dismissed as frivolous in another action. *Missud v. National Rifle Association Inc., et al.*, No. 3:13-mc-80213-WHA, Dkt. No. 3 (N.D. Cal. Oct. 15, 2013). The only difference worth noting is that former defendant U.S. Supreme Court has been replaced with defendant Intermedia Outdoor Holdings Inc. This complaint is a deliberate attempt to circumvent the 2012 pre-filing review order. The 2012 order was entered after Attorney Missud filed multiple lawsuits against judicial defendants alleging, among other things, that state and federal judges who previously ruled against him were conspiring against him and the American public. The complaints all failed to state plausible claims against the judicial defendants and were both frivolous and harassing.

Attorney Missud was given notice and an opportunity to oppose being declared a vexatious litigant (Dkt. No. 59). His many responses were nothing more than a repetition of vague and conclusory allegations of judicial corruption implausible to support a claim. Missud was thereafter declared a vexatious litigant as to all judicial entities, including judges and courts. His complaints against judicial entities were ordered subject to pre-filing review.

Missud has once against filed a complaint that lacks any plausible merit. The complaint is **DISMISSED**. Judgment will be entered accordingly.

This order also finds that Attorney Missud is using this district's docket as part of a personal campaign to harass anyone with whom he has a difference of opinion. The 2012 vexatious litigant order is therefore expanded as follows: all of Missud's filings in this district will be subject to **PRE-FILING REVIEW**. The Clerk of this Court may not file or accept any

1 further complaints filed by or on behalf of Attorney Missud (as a named plaintiff). If Attorney
2 Missud wishes to file a complaint, he shall provide a copy of any such complaint, a letter
3 requesting that the complaint be filed, and a copy of this order to the Clerk of this Court. The
4 Clerk shall then forward the complaint, letter, and copy of this order to the undersigned for
5 pre-filing review. If the Court ascertains that the complaint or notice of appeal is duplicative or
6 frivolous, it will not be filed and will be returned to Missud. Otherwise, it will be given to the
7 Clerk with instructions to file it, subject to payment of fees.

8 The 2012 order warned Attorney Missud that any future suits he files with the Court
9 which do not comply with the good faith requirements of FRCP 11 will be subject to sanctions,
10 including monetary sanctions. Nevertheless, Missud has once against filed a frivolous
11 complaint, in violation of FRCP 11 and the 2012 order. This order concludes that monetary
12 sanctions are now warranted. Missud is hereby **FINED \$100** for violation of FRCP 11 and the
13 2012 order. Attorney Missud is forewarned that further violations of this order, the 2012 order,
14 or FRCP 11 will result in increased monetary sanctions.

15 Attorney Missud's motion for IFP status is **DENIED AS MOOT**. The undersigned judge
16 notes that Missud has indicated on his IFP application that he has received "\$1,000+/- per
17 month" for "[t]ransactional work for consulting services," accepted stock dividends of "\$200+/-
18 per month," and has "\$70,000 in retirement accounts" (Dkt. No. 2).

19
20 **IT IS SO ORDERED.**

21
22 Dated: December 2, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE